



#10 DAC

PTO/SB/64 (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

Docket Number (Optional)
AD6649 US NA

First named inventor: Yannick Albertone

Application No.: 09/670,529

Group Art Unit: 1771

Filed: September 27, 2000

Examiner: Jennifer A. Boyd

Title: Laminate Structure

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1,300.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Request for Continued Examination and Amendment (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

03/26/2003 AWONDAF1 00000035 041928 09670529
01 FC:1453 1300.00 CH

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

3-20-03
Date

Telephone

Number: ((302)992-2394)


Signature

Arne R. Jarnholm

Typed or printed name

E. I. duPont de Nemours and Co.

Address

Barley Mill Plaza BMP 25/2110

4417 Lancaster Pike

Wilmington, DE 19805

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay

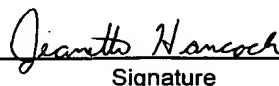
☒ Other: Copy of Amendment with Petition for Extension, Fee Transmittal, Application Data Sheet, ISO2411 submitted 1/16/03 and return receipt postcard; Attachments A, B, C, D; Request for Continued Examination; Certificate of Mailing

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

3/20/03
Date


Signature

Jeanette Hancock

Typed or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 930.00

Complete if Known

Application Number 10/670,529

Filing Date September 27, 2000

First Named Inventor Yannick Albertone

Examiner Name Jennifer A. Boyd

Group / Art Unit 1771

Attorney Docket No. AD 6649 US NA

RECEIVED**MAR 26 2003****OFFICE OF PETITIONS****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order☒ Deposit Account:Deposit
Account
Number

04-1928

Deposit
Account
Name

E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	-20 **	=	0	X	18	=	0
Independent Claims	-3 **	=	0	X	84	=	0
Multiple Dependent				X	280	=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	930.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (Times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

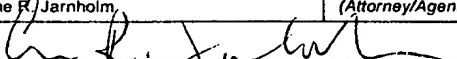
Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 930.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Ame R. Jarnholm	Registration No. (Attorney/Agent)	30,396	Telephone	(302)992-2394
Signature		Date	January 16, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office.

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OFFICE OF PETITIONS

THE STAMP OF THE PATENT OFFICE HEREON ACKNOWLEDGES THE
RECEIPT, ON THE DATE INDICATED, OF THE FOLLOWING:

CASE NO.: AD-6649 US NA

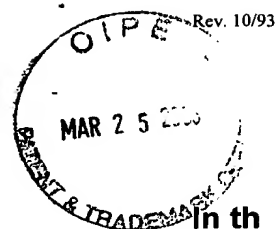
USSN: 09/670,529

DOCUMENT: AMENDMENT / FEE TRANSMITTAL / EXTENSION REFERENCE

CHARGE CODE: 0521230333 AMOUNT: \$ 930.00

ATTORNEY: ARNF B. V. ARNHOLD





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In th Application of:

YANNICK ALBERTONE, ET AL.

CASE NO.: AD6649 US NA

SERIAL NO.: 09/670,529

GROUP ART UNIT: 1771

FILED: SEPTEMBER 27, 2000

EXAMINER: JENNIFER A. BOYD

FOR: LAMINATE STRUCTURE

Assistant Commissioner for Patents
Washington, DC 20231

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OFFICE OF PETITIONS

Sir:

In connection with the above-captioned application for patent, Applicants' attorney respectfully requests that the Petition for Revival under 37 CFR 1.137(b) be considered.

**Statement in Support of Petition for Revival of Application
For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)**

Applicants' attorney respectfully petitions the Commissioner to revive the above-captioned application for patent under 37 CFR 1.137(b) as the failure to reply to the non-final office action mailed on July 17, 2002 until the filing of this Petition for Revival was unintentional.

The following information is offered in support of Applicant's statement that the delay in filing a reply in the above-referenced application from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. The Notice of Abandonment was mailed by the US Patent Office on February 3, 2003. This information is submitted as recommended under MPEP 711.03(c), in which petitioners are encouraged to bring to the attention of the Office of Petitions information evidencing the unintentional nature of the abandonment.

1. DuPont uses a computer docketing system for tracking of a variety of patent-related deadlines, and in-house attorneys and support professionals rely on this system to manage response dates.

2. The due date for reply to the Official Action mailed July 17, 2002, appears on the computer docketing system (see Attachment A) and also on the monthly attorney docket schedule (see Attachment B) which are used to monitor case activity. Also attached is the company's "Patent Office Mail Daily Log" (see Attachment C) in which an Amendment and Extension of Time in reply to the July 17, 2002 Office Action are noted as being mailed on January 16, 2003 (a copy as originally mailed is enclosed and submitted herewith, including the postcard stamp receipt showing receipt by the USPTO on January 21, 2003).

3. A draft of a reply to the July 17, 2002 Official Action was prepared and e-mailed to the undersigned (see Attachment D). The undersigned's secretary formatted the amendment to meet USPTO practice and prepared the Petition for Extension, Fee Transmittal, and also the Application Data Sheet. All these documents along with a reference attached to the Amendment were mailed to the USPTO on January 16, 2003. Our records indicate that the fee for the petition for a three-month extension of time was already charge against our Deposit Account No. 04-1928.

4. Attachment A shows the computer generated docket for this particular case in which the undersigned's secretary inserted the performed date of January 16, 2003, which was the date the documents were mailed. Attachment B shows the month's docket in which the undersigned's secretary makes notations in the "comment" column as to the status of the daily docket. See the notation for the Deadline January 17, 2003, AD6649 US NA, in which "1/16" is hand-written by the undersigned's secretary. The undersigned's secretary unintentionally failed to attach a Certificate of Mailing to the various documents being mailed that day in this case to the USPTO.

5. From early August of 2002 through February of 2003 Applicants' attorney was representing his employer, E. I. du Pont de Nemours and Company, in the acquisition of the High Performance Plastics Business from Eastman Chemical Company of Kingsport TN. This activity consumed practically all of Applicants' attorney's working hours, particularly in the month of February, until closing on

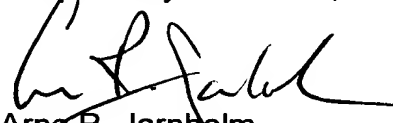
February 28, 2003. Consequently, Applicants' attorney had other outstanding matters that necessitated immediate attention, including domestic and foreign patent prosecution matters that had been set aside, and which prevented the undersigned from preparing this and filing this petition to revive until now.

6. Consistent with the requirements of MPEP 711.03(c)(III)(A), Applicants' attorney encloses herewith the required reply and a request for continued examination in accordance with 37 CFR 1.114.

The understanding of the Office of Petitions is earnestly solicited, and Applicants' attorney respectfully requests that the Petition for Revival of this Application be granted on grounds that the case was unintentionally abandoned.

Should any additional fees be required in connection with the subject application, please charge such fees to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



Arne R. Jarnholm
Attorney for Applicants
Registration No. 30,396
Telephone: 302-992-2394
Facsimile: 302-992-3257

Dated: 3-20-03

(s:\patent documents\Eng. Polymers\AD-66xx\AD6649\Statement Accompanying Petition to Revive AD6649 US NA)

AGENDA FOR ARNE R. JARNHOLM

Period from 01/01/2003 to 01/31/2003

File	Event	Deadline	Performed	Att.	Filing number	Comments
AD6574/CN/PCT	Reminder	01/03/2003		ARJ	998057738	Response to Agent deadline 02/03/2003
AD6603/US/NA	Response to Agent (Target)	01/05/2003		ARJ	99100241	FILE 3/5 1/7/03
AD6657/US/PRV	Response to Agent (Actual)	01/07/2003		ARJ	99935566-4	FINAL DEADLINE 2/7/03 1/7
AD6901/US/PRV	Optional Article 19 Amendment Due [PCT]	01/07/2003		ARJ	PCT/US02/27544	not Filing
AD6648/US/PRV	Response to Agent (Actual)	01/09/2003		ARJ	00965474-6	EXTENDABLE TO 3/9/03
AD6603/US/NA	Response to Agent (Actual)	01/15/2003		ARJ	991002-1	
AD6703/US/NA	Reminder	01/17/2003		ARJ	2006203	Deadline to reinstate case expires 6/17/02
AD6649/US/NA	Non-Final Office Action 6 mo (US)	01/17/2003		ARJ	09/07/0529	1/16
AD6666/US/PRV	Invitation to Correct Defects - Drawings	01/17/2003		ARJ	PCT/US02/37307	12/31
DE0308/JIP/PCT	Response to Agent (Actual)	01/23/2003		ARJ	51344704	DEADLINE 1/16
AD6643/US/PRV	Information Disclosure Statement	01/24/2003		ARJ	10/253246	1/13/03
AD6784/US/PRV	Provisional Conversion Deadline	01/24/2003		ARJ	00/351616	2/25/02
AD6807/US/PRV	Paris Convention Deadline	01/24/2003		ARJ		not Filing
AD6837/US/PRV	Paris Convention Deadline	01/24/2003		ARJ	60/351528	not Filing
AD6837/US/PRV	Provisional Conversion Deadline	01/24/2003		ARJ	60/351528	not Filing
AD6850/US/PRV	Paris Convention Deadline	01/24/2003		ARJ		not Filing
AD6850/US/PRV	Provisional Conversion Deadline	01/24/2003		ARJ	60/351585	not Filing
AD6850/US/PRV	Paris Convention Deadline	01/24/2003		ARJ		not Filing
AD6850/US/PRV	Reminder	01/24/2003		ARJ	60/395369	Conversion - this case refers back to priority application AD-6637 filed 1/24/2002. Must convert by 1/24/03 date. not Filing
AD6573/US/CIP	Final Office Action 2 mo (US)	01/25/2003		ARJ	00/610432	3 month extension
AD6715/US/NA1	Reminder	01/26/2003		ARJ	09/804563	2 Month Extension 6 month period 2/26/03
AD6847/US/NA	Information Disclosure Statement	01/26/2003		ARJ	10/227998	1/2/03
AD6802/US/NA	Reminder	01/26/2003		ARJ	00/833456	2 month extension 6 month 2/28/03
AD6846/US/PRV	Demand Deadline	01/29/2003		ARJ	PCT/US02/22288	PRC 1/2/03
AD6847/US/PRV	Provisional Conversion Reminder	01/29/2003		ARJ	60/376819	Deadline 04/29/03
AD6848/US/PRV	Demand Instructions to PRC	01/30/2003		ARJ	PCT/US02/27546	1/24/03

Date: 1/16/03

TO: CAROL REEDER

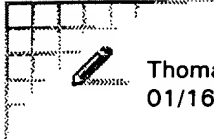
PATENT OFFICE MAIL DAILY LOG

Docket No.	Appl. No.	Document (Title)	Atty/ Agent	Fax	COM	Express Mail	Pick up (PU) or Hand Deliver (HD)	Fee	Docketed (Lisa)	Amt of Postage
PE0686USNA	10/284,728	Reg. for Corrected Filing Receipt	MAC		X					.60
AD6649	10/670,529	Priority Extension	ABT		X			930		.60
AD6731USCPT	10/269,341	Missing Parts - Decl. + Powers	KSD		X			130		.60
CN0101	09/916,605	Supplemental IDS	AGG		X					1.2
IN0020USCPT	08/886,635	IDS	THM			X				.60
7L-1068 NA	10/010,187	Status Inquiry	MRE		X					2.1
PD7665USNA	08/924,193	RE4 SUPP IDS	GMH		X		HD	740		.60
CU9998NA	—	1/1/03 New USNA	BCJ			X		824		
CU9998NA	—	1/1/03 New USNA	BCJ			X		1586		
		Issue Fees	CR							.60
		"	"							.60
FA0711USCPT	10/292,573	Copy of Spec + Responses to Notice of Discontinuation	SGD		X			130		2.6
FA0711USCPT	10/292,573	Copy of Spec + Responses to Notice of Discontinuation	SGD							
SR00194SPV1	Former to New Provisional		JMS			X	HD	160.00		
CL20724SPV1	Former to New Provisional		JMS			X	HD	160.00		
JS00271USNA	10/300,335	Missing Parts	BEL		X			130.00		.70

Please indicate case number on white Express Mail sticker and place on the back of this sheet

S:\User Folders\Massie\Patent Office Mail Daily Log.doc

Attachment D



Thomas W Gorman
01/16/2003 01:05 PM

To: Arne R Jarnholm/AE/DuPont@DuPont
cc: Yannick Albertone/DuPont@DuPont, George Ostapchenko/AE/DuPont@DuPont, Jacques
Gilbert/EUR/DuPont@DuPont, Mark Young/EUR/DuPont@DuPont, Ann F Griffith/AE/DuPont@DuPont
Subject: AD-~~6649~~ US NA; Response to Office Action

Arne,

A draft response to the outstanding Office Action is attached. Please note that you will need to fill in the blank in the Remarks relating to how you have already provided the requested post office address information on the application cover sheet. Also, please remember to attach the ISO method to the amendment. The cover sheet will need to include the petition for a three month extension of time.

When I discussed the application with Yannick Albertone and George Ostapchenko yesterday, they confirmed that all four of the original inventors are inventors of the elected claims.

Finally, Yannick and George indicated that they will want to separately pursue protection for the insulation system of non-elected claims 16-21.

Yannick, George, Jacques and Mark,

If you have any additional comments or suggestions regarding the attached response, please contact Arne by noon (Wilmington time) on Friday.



Amend1 AD-6649

Regards,

Tom

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